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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.				
10/692,273	10/23/2003	Pekka Lonka	297-008681-US (REI)	7703				
2512 PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824	7590 01/07/2008		<table border="1"><tr><td colspan="2">EXAMINER</td></tr><tr><td colspan="2">LE, DANH C</td></tr></table>		EXAMINER		LE, DANH C	
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			<table border="1"><tr><td>MAIL DATE</td><td>DELIVERY MODE</td></tr><tr><td>01/07/2008</td><td>PAPER</td></tr></table>		MAIL DATE	DELIVERY MODE	01/07/2008	PAPER
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01/07/2008	PAPER							

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of Abandonment

Application No.

10/692,273

Examiner

DANH C. LE

Applicant(s)

LONKA, PEKKA

Art Unit

2617

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address–

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on _____.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☒ A reply was received on 11 December 2006 but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☐ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☒ The reason(s) below:

This file was abandonment (please see attachment).

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

Attachment

File 10/692270 was abandonment because of the following reasons:

1. Several amendments of record are not in compliance with 37 CFR 1.173 (amendment practice for reissue). Specifically, the prelim amendment filed 10/23/03 is non-compliant because new claims were not underlined in entirety. Also the preliminary amendment to the spec filed 10/23/03 is non-compliant because deleted subject matter is shown with strikeout (rather than properly shown with bracketing). Similarly, subsequent amendments filed 7/17/06 and 10/27/06 are non-compliant. See MPEP 1453 for details.

2. Applicant should also have been notified that amendment's filed after the filing of the original declaration require a supplemental declaration prior to allowance (per MPEP 1414.01). Therefore, the application is missing a supplemental declaration to cover further changes to the claims made after the filing of the original declaration.

3. The original declaration has checked a box that a form indicating foreign priority is attached but it doesn't appear to be present (or perhaps was lost prior to scanning). Please provide a copy so that we can have scanned in.

4. There are 2 Certificates of Correction to the patent file; and therefore please confirm has properly included those changes in this reissue application (without bracketing or underlining). See MPEP 1453 for details.

Items 1 and 2 above are the substantive defects which are preventing the Notice of Allowance from being mailed.

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Please note that a Notice of Appeal was filed 12/11/06; therefore the application was pending (without further extensions of time) through 2/11/07. However, the maximum extendable period for buying extensions has lapsed, no brief was filed, and the defects above prevent the case from being allowed. Accordingly, because the maximum extendable period AF has expired, the case is technically abandoned.

In order for the file to allow, the applicant should file a petition to revive and corrects the above defects.

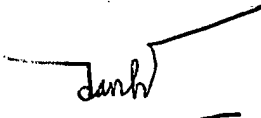
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C. LE whose telephone number is 571-272-7868 or Krista Zele 571-272-7288. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



October 17, 2007
DANH LE

PRIMARY EXAMINER